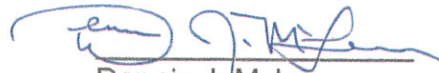


**DELEGATION OF AUTHORITY
SOLID WASTE DISPOSAL ACT**

**Selection and Performance of Federal Corrective Actions at Leaking
Underground Storage Tanks**

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act (SWDA), as amended, to determine the necessity of and to select Federal corrective actions at leaking underground storage tanks containing petroleum and/or oxygenated fuel additives, to enter property, and to perform such corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.
2. **TO WHOM DELEGATED.** Through the Director, Office of Compliance and Enforcement or equivalent to the Manager, Ground Water Unit or equivalent, and to On-Scene Coordinators.
3. **LIMITATIONS**
 - a. Before a Regional Administrator or delegatee exercises this authority for any obligations up to \$250,000 or for any amendment that does not bring the total obligation above \$250,000, the Regional Administrator or designee must receive the concurrence from the Office Director of the Office of Underground Storage Tanks or designee.
 - b. Before a Regional Administrator or delegatee exercises this authority for any obligations above \$250,000 or for any amendment that brings the total obligation above \$250,000, the Regional Administrator or designee must receive the concurrence from the Assistant Administrator for Solid Waste and Emergency Response or designee.
 - c. For emergency situations with obligations not exceeding \$50,000, Regional Administrators, or their delegates, may exercise this authority and must comply with Federal lead UST corrective action guidance issued by the Assistant Administrator for Solid Waste and Emergency Response, or designee.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Delegation 8-33 (2/26/2010).
 - b. Superfund Removal directives.
 - c. OSWER Directive 9610.9A and subsequent amendments.

5/11/2010
Date


Dennis J. McLerran
Regional Administrator